

Georgia Department of Natural Resources

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Lonice C. Barrett, Commissioner


Carol A. Couch, Ph.D., Director

Environmental Protection Division

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MEMO

To: Erosion and Sedimentation Control Local Issuing Authorities
Other Interested Parties

From: Carol A. Couch, Ph.D. 
Director

Subject: Georgia Erosion and Sedimentation Act
Saltwater Marsh Buffers

Date: July 8, 2004

The Environmental Protection Division issued a stream buffer guidance memorandum on June 14, 2004, which addresses the identification of state waters for buffer determinations for streams. The guidance memorandum does not address identification of saltwater marsh boundaries and it is not to be used for determination of buffers for the saltwater marsh.

In accordance with the 1993 opinion by the State Attorney General, saltwater marshes are considered to be State waters when implementing the Georgia Erosion and Sedimentation Act of 1975.

The boundaries of the saltwater marsh are determined by the Coastal Resources Division of the Department of Natural Resources pursuant to the Coastal Marshland Protection Act and DNR rules. These marsh jurisdiction lines are established on a project specific basis by the Coastal Resources Division.

The twenty-five foot buffer required in the Erosion and Sedimentation Act is measured from the marsh jurisdiction line. In other words, a twenty-five foot buffer is to be maintained between the permitted land-disturbing activity and the jurisdictional boundary of the saltwater marsh.

CAC:dwm